Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Revision of the Commission's Rules to	)	
Ensure Compatibility With Enhanced 911	)	CC Docket No. 94-102
Emergency Calling Systems	)	
	)	

COMMENTS OF VERIZON[1]

All traditional multi-line telephone systems have access to enhanced 911 ("E-911") solutions, and technological innovation coupled with product development are providing multi-line telephone system operators with expanded and simplified E-911 solutions.[2] A growing number of states have also enacted targeted legislation that directly addresses multi-line telephone system operators' E-911 obligations. There is, therefore, neither a need for Commission action to address multi-line telephone system E-911 compliance, nor a basis to revisit the FCC's prior findings that such compliance is a matter best addressed by the states. The FCC should, therefore, continue to monitor the progress made by private industry and state governments with respect to multi-line

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[1] The Verizon telephone companies ("Verizon") are the affiliated local telephone companies of Verizon Communications Inc. These companies are listed in Attachment A.

[2] Multi-line telephone systems "serve multiple telephone stations at a single customer site," and include Centrex, PBX, and key systems. *See Commission Seeks Comment About Status of State Actions to Achieve Effective Deployment of E-911 Capabilities for Multi-Line Telephone Systems*, DA 04-3874, fn. 2 (Dec. 10, 2004) ("*Notice*"); *Revision of the Commission's Rules to Ensure Compatibility With Enhanced 911 Emergency Calling Systems;* Report and Order and Second Further Notice of Proposed Rulemaking, 18 FCC Rcd 25340 (2003) ("*2003 Order*").

telephone system E-911 issues, but must refrain from imposing any additional or intrusive obligations on carriers, manufacturers, or multi-line telephone system operators.

I. E-911 SOLUTIONS ARE AVAILABLE FOR ALL CUSTOMERS, INCLUDING MULTI-LINE TELEPHONE SYSTEMS

Unlike residential and single-line business end-users, multi-line telephone system operators must take affirmative steps to ensure that accurate call location information – Automatic Number Identification ("ANI") and Automatic Location Identification ("ALI") information – is transmitted to the proper Public Safety Answering Point ("PSAP") when 9-1-1 calls are made from their systems.[3] Specifically, ANI information transmitted with the 9-1-1 call from multi-line telephone systems does not necessarily correlate with the ALI location information in the E-911 databases; as a result, the callback number and location information associated with a 9-1-1 call may be the multi-line telephone system's main or billing number, not the extension or station number from which the call originated.

Local exchange carriers ("LECs"), PSAPs, third-party vendors, and multi-line telephone system manufacturers have developed in response specific multi-line telephone system E-911 solutions, and the Commission properly has concluded that "a variety of technologies and vendors exist currently that make E-911 compliance in the MLTS context quite feasible." *2003 Order*, ¶ 62. Third-party vendors and software providers also report that "robust E-911 solutions are readily available" for multi-line telephone systems.[4]

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[3] *See also* Comments of Verizon, CC Docket No. 94-102 (Mar. 29, 2004) ("*Verizon Comments*").

[4] *Understanding Minnesota's New PBX E-911 law*, RedSky Technologies, at 20 available at

In its *Notice*, the Commission seeks further detail as to LEC provided components of these solutions, asking broadly as to "the extent to which carriers and others offer E-911 solutions from MLTSs." *Notice* at 3. Verizon provides end-to-end E-911 solutions for all customers in its footprint, including multi-line telephone systems, irrespective of state requirements or regulatory actions.[5]

Specifically, Verizon provides an access and a database product for traditional multi-line telephone system operators. With respect to access, Verizon offers multi-line telephone system operators two different types of trunking configurations that provide equivalent levels of E-911 access: CAMA trunks (Centralized Automated Message Accounting) and ISDN PRI (Integrated Services Digital Network Primary Rate Interface).[6] The FCC has acknowledged that "both CAMA and ISDN are well-known, readily available technologies." *2003 Order*, ¶ 61. One or both of these options are available in all Verizon central offices through the applicable state tariff.

Verizon also offers multi-line telephone system operators a software database solution, Private Switch/Automatic Location Identification ("PS/ALI"), which permits operators to update extension location and ANI/ALI information on a continuing basis in

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http://www.redskytech.com/minnesota/docs/RedSky_Webinar_for_Legislation_in_MN.ppt (last visited Feb. 15, 2005).

[5] Verizon provides access to all traditional multi-line telephone system configurations, including PBX, Centrex, and key systems, and will continue to work with the industry to develop standards for next-generation systems and next-generation functionalities of multi-line telephone systems, including wireless and IP-enabled components. *See Notice* at 3.

[6] The more widely available of the two is CAMA trunks, which are dedicated facilities that provide the ANI information of specific multi-line telephone system extensions. ISDN PRI is also available option in many locations; it permits multi-line telephone systems to transmit E-911 information utilizing existing ISDN trunks. *See Verizon 2004 Comments* at 4.

a user-friendly format.[7] Verizon's PS/ALI product is available to all Verizon customers, either through state tariff, individual case basis (ICB) contract, or private contract, depending upon state requirements. PS/ALI requires an initial set-up and software license fee with modest monthly (or record-based) charges to provide ongoing access to E-911 databases; access to the E-911 database itself is provided through a gateway service. Multi-line telephone system operators, however, are not required to purchase PS/ALI, and may acquire third-party solutions.[8] In sum, Verizon and others provide all of the necessary tools to facilitate today's multi-line telephone systems' E-911 compliance.

II. PRIVATE INDUSTRY AND STATES HAVE ACTED TO ADDRESS MULTI-LINE TELEPHONE SYSTEM E-911 COMPLIANCE ISSUES

Although E-911 solutions are widely available, NENA has reported that the some businesses are nevertheless hesitant to adopt E-911 solutions due to the "expense [and] complication" of providing E-911 access.[9] While the cost of E-911 solutions is a factor, the more significant challenge is that current multi-line telephone system solutions require operators to dedicate manpower and resources.

NENA correctly notes that the "expectation for simple, inexpensive, integrated E-911 support within future PBX models will lower user concerns about costs," and indeed

[7] Multi-line telephone system operators must provide direct inward dialing (DID) numbers for all station extensions to ensure that dummy numbers do not corrupt E-911 databases and to provide emergency personnel with an active callback number to permit follow-up with the 9-1-1 caller. *See Verizon Comments* at 4-5; *Notice* at 3-4.

[8] Among the vendors providing E-911 solutions include 911 ETC and RedSky Technologies. Verizon only requires that all E-911 records provided by multi-line telephone systems be consistent with the standard National Emergency Number Association's ("NENA's") database format.

[9] *Ex Parte Presentation of* NENA, CC Docket No. 94-102 (June 9, 2004) ("*NENA Ex Parte*").

the industry has worked to streamline and simplify this process for businesses. *Id.* From a software and operational perspective, 911 ETC and other organizations provide complete third-party end-to-end E-911 solutions providing software and/or manpower to relieve businesses of the database management responsibilities. In addition, multi-line telephone system manufacturers are developing and designing new multi-line telephone systems offering increasingly seamless E-911 compliance, including automated database functionalities.

In addition, the FCC indicated in late 2003 that it intended to monitor the implementation of E-911 solutions by the states, acknowledging that "states and local governments are in a better position to devise rules to ensure that E911 is effectively deployed over MLTS in their jurisdictions." *2003 Order*, ¶ 50. The fact that some states have acted to address multi-line telephone system E-911 issues since the *2003 Order* is clear evidence that states share the Commission's desire to "act expeditiously in this area." *2003 Order*, ¶ 50; *Notice* at 2. Specifically, since January 2004, Minnesota, Florida, and Louisiana have each implemented new statutes addressing multi-line telephone system operators' E-911 compliance.[10] Overall, since Illinois passed legislation in 1999 adopting targeted obligations on multi-line telephone system operators, at least eleven other states have followed. *Id.* Additional states, including Michigan, are also expected to examine legislation based on the Florida legislation in

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[10] *Current E-911 Legislation*, RedSky Technologies, available at http://www.enhanced911.com/src/03_sec/e911/media/E-911%20Enacted%20Legislation.pdf (last visited Feb. 15, 2005) ("*RedSky Legislation List*").

2005,[11] and those states must be provided sufficient time to permit legislative and deliberative procedures to operate.[12]

Notably, these new state laws establish specific obligations only for multi-line telephone system operators, where such requirements are deemed necessary and cost-effective, and no new obligations have been imposed on manufacturers, carriers, or PSAPs. The newly enacted state legislation generally takes a forward-looking approach with respect to E-911 compliance, by only requiring them on new systems, in recognition of the substantial costs associated with requiring new equipment purchases and/or retrofitting existing multi-line telephone systems. By way of example, the Florida statute requires that: "Each PBX system installed after January 1, 2004, must be capable of providing automatic location identification to the station level."[13]

It is also important to recognize that the lack of new state E-911 requirements for multi-line telephone systems does not suggest inaction. Indeed, some states have considered and rejected similar E-911 proposals, in part due to the potentially significant costs to businesses, and the Commission's own warning that proposals "could stifle technological innovation and may be overly burdensome." *2003 Order,* ¶ 50. States remain in the best position to reach an appropriate balance between maximizing public safety access and imposing new obligations on businesses.

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[11] *See* Senate Bill No. 58 (introduced Jan. 25, 2005), available at http://www.legislature.mi.gov/documents/2005-2006/billintroduced/senate/pdf/2005-SIB-0058.pdf (last visited Feb. 15, 2005).

[12] *See* Comments of the National Telecommunications Cooperative Association, CC Docket No. 94-102, at 2 (filed Mar. 29, 2004) ("*NTCA Comments*").

[13] *RedSky Legislation List* at 8; *see also id.,* at 18 (noting that Louisiana requires that "[e]ach private branch exchange (PBX) system installed after January 1, 2005, must be capable of providing automatic location identification (ALI) to the station level").

III. THE EFFECTIVENESS OF PRIVATE AND STATE ACTION FORECLOSES THE NEED FOR FCC ACTION

The FCC has repeatedly held that E-911 compliance is "best addressed at the state and local level." *2003 Order*, fn. 198. There is no need to revisit that determination. From a carrier perspective, the Commission's only concern should be that LECs provide E-911 access to these customers, which they do today. There is, therefore, no basis for imposing additional access obligations on LECs as suggested in NENA's proposed FCC rules and Model Legislation.[14] Any obligations imposed upon LECs would be duplicative and unnecessarily intrusive because Commission's rules already "require telecommunications carriers to transmit the location information provided by the MLTS operator." *2003 FCC Order*, ¶ 60.

In turn, the demonstrated ability of states to address traditional multi-line telephone system E-911 compliance issues eliminates the need for federal intrusion into matters properly within state jurisdiction. A number of parties have also raised significant concerns with respect to the FCC's jurisdiction to reach multi-line telephone system operators, and more generally caution against the appropriateness of federal action in this area.[15] The Minnesota law's new requirements were appropriately characterized by the Minneapolis/St. Paul 911 Board as analogous to the "need to install smoke detectors."[16] The 911 Board's perspective as to the nature of these requirements

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[14] *Verizon Comments* at 5-13 (addressing problems with NENA's proposed FCC rules).

[15] Comments of the Ad Hoc Telecommunications Users Committee, CC Docket No. 94-102 (Mar. 29, 2004).

[16] Frequently Asked Questions for PBX/MLT, at 1 available at http://www.redskytech.com/minnesota/docs/Minnesota_PBX_FAQ.pdf (last visited Feb. 16, 2005).

underscores that this is a workplace safety and police power issue, not a federal communications law issue.

IV. RECENT STATE ACTION SHOULD SERVE AS MODEL FOR ANY FUTURE STATE E-911 REFORMS

NENA and the Association of Public Safety Communications Officials ("APCO") should be commended for their continued efforts to ensure that all Americans have access to sufficient 911 and E-911 resources, and for raising industry awareness of multi-line telephone system E-911 compliance issues. Nonetheless, to the extent states determine that any additional E-911 requirements on multi-line telephone system operators are in the public interest, recent legislation passed by Florida is a better model for future state action than NENA's Model Legislation. *Notice* at 2-3. The Florida law requires that all operators of newly installed multi-line telephone systems be E-911 compliant. As such, the Florida statute represents a more contemporary and targeted approach to E-911 compliance, and the focused nature of this approach limits the potentially deleterious impact on industry investment and technological advancement. *See 2003 Order*, ¶ 50.

In contrast, the Model Legislation provides a dated approach that is inconsistent with current market and regulatory conditions; overly broad; and unnecessarily intrusive into the manner in which carriers provide E-911 access. Specifically, NENA's proposal would require all carriers to provide multi-line telephone system operators with E-911 access through the system operator's desired access configuration and interface.[17] As a practical matter, that requirement would obligate carriers needlessly – and at great expense – to upgrade, replace, and update central office functionalities that already

[17] MLTS Proposal of NENA and APCO, CC Docket No. 94-102, §§ 6, 13 (July 24, 2001) ("*Model Legislation*").

provide adequate E-911 access to multi-line telephone systems. NENA does not provide a cost justification for imposing such forced carrier investment of hundreds of millions of dollars in duplicative CAMA and ISDN facilities: investment that will not provide new access to a single central office.[18] The Commission should, therefore, recommend that any states seeking to address multi-line telephone system E-911 compliance issues should use the targeted Florida law as a blueprint for action.

Conclusion

For the foregoing reasons, the Commission should refrain from adopting any additional or expanded E-911 access obligation for carriers or operators of multi-line telephone systems.

Respectfully submitted,

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[18] The Model Legislation also lacks specificity as to how carriers are to implement new access obligations by failing to specify what qualifies as a "generally accepted standards." The proposal also lacks a procedure by which operators select their desired E-911 interface, a timetable for carrier upgrades to implement those requests, as well as a cost recovery mechanism for carriers for any required upgrades. *See Verizon Comments*, at 5-9.

ATTACHMENT A

THE VERIZON TELEPHONE COMPANIES

The Verizon telephone companies are the local exchange carriers affiliated with Verizon Communications Inc. These are:

Contel of the South, Inc. d/b/a Verizon Mid-States
GTE Southwest Incorporated d/b/a Verizon Southwest
The Micronesian Telecommunications Corporation
Verizon California Inc.
Verizon Delaware Inc.
Verizon Florida Inc.
Verizon Hawaii Inc.
Verizon Maryland Inc.
Verizon New England Inc.
Verizon New Jersey Inc.
Verizon New York Inc.
Verizon North Inc.
Verizon Northwest Inc.
Verizon Pennsylvania Inc.
Verizon South Inc.
Verizon Virginia Inc.
Verizon Washington, DC Inc.
Verizon West Coast Inc.
Verizon West Virginia Inc.